

TODD BLANCHE
Deputy Attorney General
BILAL A. ESSAYLI
First Assistant United States Attorney
ALEXANDER B. SCHWAB
Assistant United States Attorney
Acting Chief, Criminal Division
IAN V. YANNIELLO (Cal. Bar No. 265481)
GREGORY W. STAPLES (Cal. Bar No. 155505)
DANIEL H. WEINER (Cal. Bar No. 329025)
Assistant United States Attorneys
1400/1500 United States Courthouse
312 North Spring Street
Los Angeles, California 90012
Telephone: (213) 894-3667/3535/0813
Facsimile: (213) 894-0142
E-mail: ian.yanniello@usdoj.gov
greg.staples@usdoj.gov
daniel.weiner@usdoj.gov

Attorneys for Plaintiff
UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DURK BANKS, et al.,

Defendants.

No. CR 24-621(B)-MWF

[PROPOSED] ORDER CONTINUING TRIAL
DATE AND FINDINGS REGARDING
EXCLUDABLE TIME PERIODS PURSUANT
TO SPEEDY TRIAL ACT

[PROPOSED] TRIAL DATE: 05/04/2026

**[PROPOSED] PRETRIAL
CONFERENCE DATE:** 04/13/2026

The Court has read and considered the Stipulation Regarding Request for (1) Continuance of Trial Date and (2) Findings of Excludable Time Periods Pursuant to Speedy Trial Act, filed by the parties in this matter. The Court hereby finds that the Stipulation, which this Court incorporates by reference into this Order, demonstrates facts that support a continuance of the trial date in

1 this matter, and provides good cause for a finding of excludable time
2 pursuant to the Speedy Trial Act, 18 U.S.C. § 3161.

3 The Court further finds that: (i) the ends of justice served by
4 the continuance outweigh the best interest of the public and
5 defendant in a speedy trial; (ii) failure to grant the continuance
6 would be likely to make a continuation of the proceeding impossible,
7 or result in a miscarriage of justice; (iii) the case is so unusual
8 and so complex, due to the nature of the prosecution and the number
9 of defendants that it is unreasonable to expect preparation for
10 pre-trial proceedings or for the trial itself within the time limits
11 established by the Speedy Trial Act; and (iv) failure to grant the
12 continuance would unreasonably deny defendant continuity of counsel
13 and would deny defense counsel the reasonable time necessary for
14 effective preparation, taking into account the exercise of due
15 diligence.

16 THEREFORE, FOR GOOD CAUSE SHOWN:

17 1. The trial in this matter is continued from January 20, 2026
18 to May 4, 2026. The Court sets the following pretrial schedule:

19 a. Defendants' reciprocal discovery deadline: March 9,
20 2026; and

21 b. Motions *in limine*, including motions regarding
22 experts:

23 i. Motions due: March 16, 2026

24 ii. Oppositions due: March 30, 2026

25 iii. Optional replies due: April 6, 2026

26 iv. Hearing date/pretrial conference: April 13, 2026

27 2. The time period from the date the stipulation to continue
28 was filed to May 4, 2026, inclusive, is excluded in computing the

1 time within which the trial must commence, pursuant to 18 U.S.C.
2 §§ 3161(h)(7)(A), (h)(7)(B)(i), (h)(7)(B)(ii), (h)(7)(B)(iv), and
3 (h)(6).

4 3. The court further finds that defendant DURK BANKS
5 ("defendant BANKS") is joined for trial with codefendants as to whom
6 the time for trial has not run and no motion for severance has been
7 granted. Pursuant to 18 U.S.C. § 3161(h)(6), the time period from
8 the date the stipulation to continue was filed to May 4, 2026,
9 inclusive, constitutes a reasonable period of delay for defendant
10 BANKS, who is joined for trial with codefendants as to whom the time
11 for trial has not run and no motion for severance has been granted.

12 4. Nothing in this Order shall preclude a finding that other
13 provisions of the Speedy Trial Act dictate that additional time
14 periods are excluded from the period within which trial must
15 commence. Moreover, the same provisions and/or other provisions of
16 the Speedy Trial Act may in the future authorize the exclusion of
17 additional time periods from the period within which trial must
18 commence.

19 IT IS SO ORDERED.

20
21 _____
22 DATE

HONORABLE MICHAEL W. FITZGERALD
UNITED STATES DISTRICT JUDGE

23 Presented by:

24 _____
25 /s/
DANIEL H. WEINER
Assistant United States Attorney